

Public Law 103-295  
103d Congress

An Act

Aug. 12, 1994

[H.R. 4429]

To authorize the transfer of naval vessels to certain foreign countries.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. AUTHORITY TO TRANSFER NAVAL VESSELS TO CERTAIN FOREIGN COUNTRIES.**

(a) AUSTRALIA.—Subject to section 6, the Secretary of the Navy is authorized to transfer to the Government of Australia the “NEW-PORT” class tank landing ships SAGINAW (LST 1188) and FAIR-FAX COUNTY (LST 1193). Such transfers shall be on a sales basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761; relating to the foreign military sales program).

(b) BRAZIL.—Subject to section 6, the Secretary of the Navy is authorized to transfer to the Government of Brazil the “NEW-PORT” class tank landing ship CAYUGA (LST 1186) and the “KNOX” class frigates MILLER (FF 1091) and VALDEZ (FF 1096). Such transfers shall be on a lease basis under chapter 6 of the Arms Export Control Act (22 U.S.C. 2796 and following).

(c) MOROCCO.—Subject to section 6, the Secretary of the Navy is authorized to transfer to the Government of Morocco the “NEW-PORT” class tank landing ship BRISTOL COUNTY (LST 1198). Such transfer shall be on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j; relating to transfers of excess defense articles).

(d) SPAIN.—Subject to section 6, the Secretary of the Navy is authorized to transfer to the Government of Spain the “NEW-PORT” class tank landing ship BARNSTABLE COUNTY (LST 1197). Such transfer shall be on a lease basis under chapter 6 of the Arms Export Control Act (22 U.S.C. 2796 and following).

**SEC. 2. WAIVER OF REQUIREMENTS FOR NOTIFICATION TO CONGRESS.**

The following provisions do not apply with respect to the transfers authorized by this Act:

(1) In case of a grant under section 516 of the Foreign Assistance Act of 1961, subsection (c) of that section and any similar provision of law.

(2) In the case of a sale under section 21 of the Arms Export Control Act, section 525 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994 (Public Law 103-87) and any similar, successor provision of law.

(3) In the case of a lease under section 61 of the Arms Export Control Act, section 62 of that Act (except that section 62 of that Act shall apply to any renewal of the lease).

**SEC. 3. COSTS OF TRANSFERS.**

Any expense of the United States in connection with a transfer authorized by this Act shall be charged to the recipient.

**SEC. 4. EXPIRATION OF AUTHORITY.**

The authority granted by section 1 of this Act shall expire at the end of the 2-year period beginning on the date of the enactment of this Act, except that leases entered into during that period under section 1 may be renewed.

**SEC. 5. REPAIR AND REFURBISHMENT OF VESSELS IN THE UNITED STATES.**

It is the sense of the Congress that the Secretary of the Navy should request that each country to which a naval vessel is transferred under this Act have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at shipyards located in the United States, including United States navy shipyards.

**SEC. 6. CONDITION FOR TRANSFER.**

No vessel may be transferred under this Act until the Secretary of Defense certifies in writing to Congress that, after the transfer—

(1) the amphibious lift capacity remaining available in the Navy is sufficient in all lift categories to transport 2½ Marine Corps expeditionary brigades simultaneously; and

(2) the amphibious lift capacity planned to be available in the Navy under the future-years defense program will be sufficient in all lift categories, throughout the period covered by the future-years defense program, to transport 2½ Marine Corps expeditionary brigades simultaneously.

Approved August 12, 1994.

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**LEGISLATIVE HISTORY—H.R. 4429:**

CONGRESSIONAL RECORD, Vol. 140 (1994):

May 23, considered and passed House.

July 15, considered and passed Senate, amended.

Aug. 1, House concurred in Senate amendments with amendments.

Aug. 5, Senate concurred in House amendments.